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August 21, 2020

28549-0002

Dan Ambrose
801 S. Olive St.,
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Los Angeles, CA 90014-3036
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Re: Trademark Infringement – Cease and Desist

Dear Mr. Ambrose:

It has come to our attention that you are making unauthorized and damaging use of our client's trademark *Trial Lawyers College* by operating a competing endeavor doing business as *Trial Lawyers University*. As you know, The Trial Lawyers College ("TLC") is the owner of the trademark "Trial Lawyers College" which is registered with the United States Patent and Trademark Office, Reg. No. 4,197,908 (the "'908 Mark"). TLC has used the '908 Mark since at least 1994 in connection with providing continuing legal education services, including seminars and other training programs for lawyers and judges, and TLC has expended substantial resources in developing its extensive goodwill in the mark. In the relevant trial skills education market, the '908 Mark has also become famous for its quality education programs. Consequently, your use of the business name Trial Lawyers University is likely to cause confusion among consumers seeking these services, and further dilutes the trademark rights that TLC has strived to build. Therefore, your unauthorized use of such a similar name constitutes trademark infringement and dilution under the Lanham Act, 15 U.S.C §§ 1025 and 1114.

TLC demands that you immediately cease and desist using the name Trial Lawyers University, which clearly intends to traffic unfairly and inappropriately in the goodwill that TLC has established over the course of its decades of operation. Indisputably, through your years-long affiliation with TLC, you are aware of its name, federally-registered trademarks, including the '908 Mark, and that TLC's services are aimed at trial lawyers seeking to improve their trial skills. Moreover,

COUNSELORS AT LAW

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EXHIBIT

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as you conceded in your testimony under oath in *Trial Lawyers College v. Gerry Spences Trial Lawyers College, et al.*, No. 20-cv-00080 (D. Wy.), Trial Lawyers University serves the same core audience as does the Trial Lawyers College.

Even more troubling is the fact that despite your knowledge of the ongoing federal court proceedings in which TLC has asserted claims for trademark infringement and obtained injunctive relief prohibiting the infringement of its federally-registered trademarks, including the ‘908 Mark, you began to operate a business with a nearly-identical infringing name in the midst of that litigation. We also cannot help but observe that previously, you have operated your business as the “Trojan Horse Method,” “Case Analysis,” and “Trial Professors,” before pivoting to “Trial Lawyers University” only five weeks ago. Only one conclusion can be drawn from these facts—that your infringement of TLC trademark rights in the ‘908 Mark is intentional. Under the facts of this matter, such intentional infringement entitles TLC to recover your profits, treble damages, and attorney fees under the Lanham Act, 15 USC § 1117.

We hereby demand that you immediately cease and desist your use of the business name “Trial Lawyers University,” on all advertising, websites, promotional literature, and social media which has caused and will continue to cause confusion to the public, improperly traffics in TLC’s goodwill, dilutes its rights in the ‘908 Mark, and constitutes misrepresentation and infringement under federal and state trademark law. Moreover, your intentionally infringing actions have caused damages in relation to TLC’s distribution, advertising, marketing, education, training, identification, and public perception of its training products and services. TLC further demands that you immediately cease use of the domain name www.triallawyersuniversity.com.

If you fail to comply with the aforementioned demand(s) within 7 days, we will act to protect all of TLC’s interests and rights and seek all available remedies, including temporary and permanent injunctive relief.

It is in all parties’ best interests to have this issue amicably settled in an effort to avoid further legal remedies as provided by state and federal laws.

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With best regards, I am

Sincerely,

A handwritten signature in blue ink, appearing to read "Ch K Ralston". The signature is fluid and cursive, with the first name "Ch" and last name "Ralston" clearly distinguishable.

Christopher K. Ralston

CKR/bf